

In the Supreme Court of the State of Alaska

John Doe,

Appellant,

v.

**State of Alaska, Department of Public
Safety,**

Appellee.

Supreme Court No. **S-16748**

Order

Petition for Rehearing

Date of Order: **7/15/2019**

Trial Court Case No. 3AN-16-05027CI

Before: Bolger, Chief Justice, Stowers, Maassen, and Carney,
Justices, and Matthews, Senior Justice.*

The State has petitioned for rehearing contending that the court had a duty to consider severing the publication provisions of ASORA from those requiring only registration, even though this issue was not raised in the briefing. The petition is **DENIED** because issues of statutory severability are considered waived, and the court finds that good cause does not exist for granting an exception under the circumstances of this case.

The court notes that it has taken no position on the issue of severability. *See Op. No. 7375 at n. 58.* In a future case the State may raise the issue in the superior court and on appeal.

Issued at the direction of the court.

**Image Not
Available**
Clerk of the Appellate Courts
Meredith Montgomery

* Sitting by assignment made under article IV, section 11 of the Alaska Constitution and Alaska Administrative Rule 23(a).

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BOLGER, Chief Justice, and STOWERS, Justice, dissent. They would grant the petition for rehearing.

cc: Supreme Court Justices
Trial Court Appeals Clerk
Publishers (Opinion #7375, 6/14/2019)

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